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MISCELLANEOUS.

THE RIFLE.

BY THE LATE WILLIAM LEGGOTT.
CONCLUDED.

CHAPTER IV.

"—Foul deeds will rise
Though all the earth o'erwhelm them, to try men's eyes."

Richard III.

The little village in which the sessions of the circuit court was held, and which, for the sake of a name, we will call Clairville, contained about fifty or sixty houses, most of them constructed of logs. There was an open space in the midst of it, termed "the public square," in which stood a building answering the double purpose of court-house during sessions, and of meeting-house; when an occasional missionary passed through that part of the country. It fronted on the public road. The jail occupied a corner of the same place. It was a small, one story edifice, about twelve feet square, and like the Court-House, built of large hewn logs, fastened together with iron bolts at the corners. Its single apartment contained but one door and window, both secured by strong bolts and bars. A large brick house, the only one in town, was situated on the rear of the square, and was occupied as a hotel, as the traveller was informed by a huge sign suspended from a post at the road side, where was conspicuously written, in great yellow letters, beneath a burlesque likeness of George Washington, "Entertainment for man and horse." A little further up the road, or Main street, as it was called, though there was but one in the village, on the opposite side, was another tavern of more humble appearance than the first. It was around these two places of public entertainment, that a numerous assemblage of persons collected on the morning when the important trial was to take place, all eagerly conversing on the crime of which the prisoner was supposed to be guilty; and many of them uttering no very moderate anathemas against the Yankees, whom they pretended to consider en masse, as rogues and cheats, and who, at least, were coming into the country to break up their old manners and customs. The women, who were plentifully sprinkled among them, seemed very willing to join in the general clamor.

"They're a monstrous fidgety people, say the least of them," observed the large fat wife of a farmer, and her sleepy eyes and unmeaning face assumed something like angry vivacity as she spoke. "They want a heap of waitin' on, and you don't git no thanks after all. Now there was old Wentworth—he tarried with us, you know, Carlock, on account of his daughter, when he first cum out here. Good coffee wasn't good enough for 'em; they must have a little tea, to be sure. So I sent Johnny down to the settlement to git some, and took a heap of pains to cook the truck—and what do you think? they wouldn't eat bit on't after all. I don't much wonder, neither, for 'twas bitter, nasty trash as I'd wish to taste. But it's always the way with 'em. They make trouble just for nothing."

The remarks of the indignant woman were fully concurred in by most of her simple and unsophisticated hearers; but there was one among them who was obliged to thrust his tongue into his cheek, and turn aside to prevent the dame from seeing his laughter. He was the merchant's clerk, and had heard the story before. The fact was, that having never used the article of tea in her life, the poor woman had caused a pound of it to be purchased, and boiling it all in a kettle, had served it up to her guests as greens for dinner.

"They tell," said a farmer, who had the reputation of being a wit among his fellows, and whose linsey woolsey coat contrasted strangely with a printed calico shirt, the collar of which was ostentatiously displayed—"They tell that old Silversight had a power of money when he was killed. It's kill or cure with these yankee doctors, any how; but that was the queerest pill to give a patient I ever heard of; and he took the bill himself, out of the dead man's pocket, boy?"

Such is a specimen of the idle talk with which the crowd amused themselves until the Court at length assembled, when after the usual preliminaries, the important trial commenced. The prisoner had been supplied by his anxious and affectionate parent with all the little comforts which the narrow apartment admitted of, except fire and candles; they being forbidden on account of the material of which the jail was constructed. But the coldness of the weather had been excessive, during a part of the time that he was the occupant of that dreary abode; and the boundaries of his cell not allowing of much exercise, a sickness fastened upon him, which, though not dangerous in its nature, had rendered him thin and pale. He came into the Court arm in arm with the attorney who was employed to plead his cause; and slightly bowing to those whose friendly salute indicated that they believed him innocent, he passed through the crowd and took a seat beside the lawyers within the bar.—

From the high and exemplary character which he had sustained invariably, from his first settling in the place, until the present black suspicion rested on him, a degree of intuitive respect was accorded by all, that must have been highly gratifying to his feelings. A plea of not guilty was entered, and the examination of witnesses commenced.

George Carlock was the nephew of the deceased. On the night of the sixteenth of December, he was surprised to see the horse of his uncle arrive, with the saddle and bridle on, but without a rider. He thought that the deceased had stopped for a while, perhaps, at Buckhorn's, who lived a mile or so further down the timber; but as the night passed away without his returning home, he started early in the morning with the intention of trailing the horse. He called for Buckhorn, they upon the trail, followed it till they had found the dead body. Two young men who had joined them at Buckhorn's returned with the body, they continuing on the trail. It led them to Mr. Wentworth's. They inquired if any person had been there, that crossed over from the other side of the stream. They were answered that Dr. Rivington had crossed the stream and remained the night with them. That Mr. Rumley, the deputy sheriff, had also remained the night, but that he came from further up on the same side. They followed on the trail, and found that there was a tract from further up, most likely Mr. Rumley's. They continued on the track till they arrived in town. Being informed by Mr. Drill, the gunsmith, that Dr. Rivington had taken Buckhorn's rifle with him, they immediately procured a warrant for his apprehension. They found him employed in counting the identical money which had been taken from the unfortunate Silversight.

James Buckhorn's testimony was in full corroboration of the preceding. He mentioned in addition, that he examined the lock and barrel of his rifle, on finding it lying near the murdered man, and discovered that it had certainly been discharged but a short time before.

The gunsmith deposed to his offering to carry it out to Buckhorn, and that it had been discharged since.

"Mr. Drill," said Lawyer Blandly, who was counsel for our hero, "you mention having given the gun to Dr. Rivington; did you also give him a bullet that would fit the bore?"

"I did not."

"Did he exhibit any anxiety to obtain the weapon?" again asked the lawyer.

"By no means," replied the gunsmith, "I considered at the time that Doctor's offer was one of mere kindness; and he had previously mentioned that he was going out that way to visit his patients."

"The bore of this rifle, Mr. Drill," continued the saucy lawyer, "is very small. I presume that you are familiar with the size and qualities of all that are owned on the road out to Buckhorn's. Is there any house at which Dr. Rivington could have stopped and procured a ball of sufficient smallness?"

"John Guntry's rifle," answered Mr. Drill, "carries eighty-seven or eight to the pound, and one of his bullets with a thick patch, would suit Buckhorn's pretty well. That is the only one I know of near the size."

"The Attorney for the people here asked another question.

"For what purpose, sir, did the prisoner go into your shop, on the morning of the sixteenth December?"

"I was employed in repairing a pair of pocket pistols for him, and fitting a bullet would to them. He came in, I believe, to inquire if they were finished."

"Please to note that answer, gentleman of the jury," said the prosecuting attorney. "Mr. Drill, you may stand aside."

Samuel Cochrane was next called. He was one of the young men who had been tortured with the body of Silversight. On his way back, and about two hundred yards from the place where the murder had been committed, he found a copper powder flask, (which was shown to him and he identified it) the letters C. R. M. D. being cut upon one of its sides, apparently with a knife. There was but one more witness on the part of the people, Mr. Lawton, the magistrate before whom the unfortunate prisoner had been examined. He testified as to the facts which were deposited before him, together with the acknowledgement of Dr. Rivington that he had been in company with Mr. Silversight, &c. But we may pass over these circumstances, as the reader is already acquainted with them.

The prisoner was now put on his defense; and all that talent and ingenuity could devise, was done by his skilful counsel. The witnesses were cross-examined; but their answers were uniformly the same. A large number of respectable persons came forward to testify to the excellence of our hero's general character, but their evidence was rendered unnecessary by the attorney for the people admitting in unequivocal terms, that previous to this horrid occurrence, it had been examined by a high degree. At length, wearied by his exertions, and distressed at their result, Mr. Blandly discontinued his examination; he had one more weapon to try in behalf of his client—the powerful one of eloquence; and it was used by a master of the art, but alas! was used in vain. He dwelt much on the fact that his unfortunate client had wished his route to be travelled from the village, and that Buckhorn had started for the purpose, when the disastrous snow storm occurred, and took away the only hope he had of proving his innocence. He cited many cases to the jury in which circumstances, even stronger than these, had been falsified, when their victim, murdered by their laws, was slumbering

in his grave. He appealed to them as parents to know if they would believe, that a son, who had been without stain or blemish, could suddenly turn aside from the path of rectitude and honor, to commit such an atrocious crime? But it would be useless to recapitulate the arguments that were made use of on this interesting occasion—they were ineffectual.

The attorney for the prosecution summed up very briefly. He assured the jury that the evidence was so clear in its nature, so concatenated, so incontrovertible, as to amount to moral certainty. Near the body of the murdered man, a powder flask, such as the eastern people principally use, had been found, with the initials of the prisoner's name and medical degree engraved upon it C. R. M. D. Charles Rivington, Doctor of Medicine. The trial is pursued, and it leads them to the house of Mr. Wentworth, where the prisoner arrived on the evening of the bloody deed, and remained all night. They continue on the trail, till at last they find him, with greedy eyes, bending over the plunder that he had torn from his grey-haired victim. "Such," concluded he, "is a rapid outline of the facts; and deeply as I deplore the wretched young man's guilt, yet, believing him guilty, it is my sacred duty to expose his enormity—but further than the imperious call of justice requires, I will not—I cannot."

The charge of the judge, who was evidently very much affected, occupied but a few minutes; and the jury retired to make up their verdict.

I have already told the reader that the prisoner was pale, in consequence of sickness, produced by his exposed situation in the prison; but the appalling events of the trial had caused no alteration in his appearance. He sat firm and collected, and there was a melancholy sweetness in the expression of his countenance which told that all was calm within. Indeed, the awful coincidence of the circumstances had been made fully known to him, before he came into court; he was convinced unless the interposing arm of heaven should prevent the blow, that death and doom must fall upon him, and after a severe internal conflict, he had become enabled to say, "They will be done."

His mother, by the assistance of that never failing comfort in sorrow, religion, had hitherto supported, with something like resignation to the divine will, this greatest earthly calamity. In compliance with the earnest request of her son, who was fearful that the feelings of nature might become too strong for control, and who wished to behave with manliness and equanimity through the trying period, she refrained from going to court, on the day that was to decide, in a great measure, her mortal destiny.

Seated in the little parlor of their dwelling together with the weeping Catharine, the strength of whose love had drawn her to the spot, and awaiting with intense anxiety the issue of the lagard hour, was the mother of Charles Rivington, at the time which I have brought my narrative.—She started at each noise that reached her ear, and every breeze that shook the casement seemed laden with the awful sentence of the law against her son. And yet that noble woman, though torn by the deep and awful solicitude which only another's heart can know, strove to speak the words of comfort to the lovely being beside her, whose affectionate bosom seemed bursting with affection.

"Weep not so bitterly," she said, "Catharine, my dear child; alas! I soon may have no other child than you; but no: the Searcher of hearts knows that Charles is guiltless, and will yet put forth his arm to save. What sound was that! I am wrong to distrust his goodness; yet this is a heavy, heavy hour. I have knelt, Catharine, at the bedside of three lovely children, three little human blossoms, that death untimely cropped, and was enabled to bow with resignation to the inscrutable decree.—But this, oh my Father," groaned the tortured mother, "suffer this bitterest cup to pass from me, Catharine, dry your tears; He whose powerful hand led forth unharmed from the fiery furnace, the three that would not renounce his name, will yet deliver my boy from the toils that are around us."

At this moment Judy was seen from the window running rapidly toward the house and directly after, pale and breathless, entered the apartment.

"Judy!" faintly cried the agonized parent trembling in every nerve, but unable to utter more.

"An' madam," responded the servant, "I know what you'd be asking me—tak' comfort, it's no decided yit; the juries has just gone up stairs, to talk it over among themselves; and bless their souls, they cried a'most as I did myself when Mr. Blandley spoke to 'em. Ah, he's a nice gentleman, and he knows exactly what kind o' body, Mister Charles is. He described him just for all the world as I would, only I couldn't use such words."

"The jury wept—there is hope, then, Judy?" inquired the parent in a faltering voice.

"Wept did they? yes, and the judge, and Mr. Wentworth could scarce give his evidence for crying—and they all cried, except Mr. Charles himself. He looked pale and sorrowful, but there was no blubbering about him. I never see'd him look so elegant afore. But I jist rin here to tell ye how things was going on: I'll go back, and find what them juries says. I hope they may never be able to open their ugly mouths, till it's just to spake the word 'innocent'."

"Stop, Judy," said Mrs. Rivington, feeling unable to endure the horrors of another period of suspense. "I will go with you; I trust that heaven will give me strength to bear the issue, even should it be the worst that can befall!"

"Ye had better not, my dear mistress," replied the devoted servant; "for there are hard-hearted people about the place that b'lieve he's

yet be brought to light, before I die the death of a felon."

"Doctor Rivington," said Buckhorn, going up to him and taking him warmly by the hand, "I've been wavering all along about you; but I'm certain now. The man that murdered Silversight in cold blood, would'nt be going to stand shilly-shally, and the jail door wide open. I always was dubious about it, though the proof seemed so sure. My nag is down in the hollow, with saddlebags on him, and Judy filled 'em full of your clothes you may take him, Doctor, if ye will; you may take the money in welcome—but I, that come here to get you el'ar, advise you to stay; and if I don't find out somethin' to turn the tables before-hanging day it sha'nt be because I don't try."

Our hero exchanged with the honest hunter one of those warm pressures of the hand which may be termed the language of the soul, and conveyed to him by the eloquent action, more than he could readily have found words to express.—

They were now alarmed by the report of two rifles near them, fired in quick succession, and two persons issuing from the shadow of a neighboring horse shed at the same moment, made directly toward the door of the jail, crying out in a loud voice, "the prisoner has broke out! the prisoner has broke out!" Our friends, Judy and Buckhorn, were enabled to make good their retreat, as the object of alarm seemed more to secure the prisoner, than the arrest of his intended deliverers. It was not many minutes before a considerable number of the idle and the curious were collected by this clamor around the insufferable place of confinement, and effectual means were devised to prevent any danger of a further attempt at rescue.

The glimmer of hope which had been lighted up in our hero's heart by the last words of Buckhorn, and the confident manner in which they were uttered, gradually declined, as day after day rolled by, and no traces could be discovered of the real perpetrator of the crime. To add to the anguish of his situation, he learned that his beloved Catharine was confined by a wasting fever, to her bed; and that his mother, though she still bore up, and uttered not a murmur against the Almighty's will, was fast sinking of a broken heart into the grave. The evening previous to the fatal day which was to terminate his earthly career, at length arrived, but brought no cheering promise with it; and the unhappy young man therefore humbling himself before the throne of heaven, and beseeching that mercy there, which he could no longer hope for on earth, devoted a greater part of the night to prayer.

I shall not attempt to describe the situation of my unhappy hero, for words are inadequate to the task. The insensible forms of his mother and beloved Catharine were conveyed from the scene; and when some degree of silence was restored among the sympathizing multitude, the judge proceeded to pronounce sentence upon him. He had nothing to say to avert it, except a reiterated declaration of his innocence, and he besought the court, that the time previous to his execution might be made as brief as possible, in mercy to his bereaved parent, who would be but dying a continual death, while he survived. It was accordingly fixed to take place on that day three weeks.

CHAPTER V.

It was near midnight of that important day—that busy throng which the trial had collected together were dispersed, and the moon, high in heaven, was waning on her silent course, through the clouds of a wintry sky, when Charles Rivington, started from unquiet slumber, by a fanned noise at the door of his prison, and sitting up in his bed that he might more intently listen, heard his own name whispered from the outer side.

"Will you wake Mr. Charles?" was softly uttered in the sweet accent of our little Irish acquaintance, Judy. "Was there ever the like?" said she, "and he a sleeping at that rate, when his friends are opening the door for him."

"Be quiet, Judy," responded a masculine voice but modulated to its softest tone, "and stand more in the shadow. The Doctor'll wake fast enough, as soon as I git this bolt sawed out; but if ye git that tavern keeper's dog a barking, there's no telling but it may wake the jailor, instead of the Doctor."

"And you're right Simmy, dear," responded Judy, "here now, let go with your fingers, man; you can't pull off that'er way. Here, tak' this bit of a stake for the pry—and now, that's your sort, continued she, adding her strength to his, and a large end of the log to which the fastenings of the door were appended, fell to the ground.—Now, one more pull, Jimmy and the day's our own."

They accordingly made another exertion of united strength, when the prison door flying open Buckhorn and Judy stood before our prisoner.

"There, Mr. Charles, say nothing at all, at all, about it, but jist take Jimmy's nag, that's in the hollow, and get clare as well as you can. There's a steamboat, Jimmy says, at St. Louis, going right down the river, and here's all the money that we could git, but it's enough to pay your passage any how," said the affectionate girl, tears standing in her eyes, as she reached to her parent.

"Be quiet, Judy," responded the amiable deputy sheriff.

"Why bless me, Mr. Rumley," continued the first speaker, "I didn't know it was you, you sat in the dark. How have you been this long time? Let me see—why yes, bless me, so it was—it was you and me that was talking with poor old Silversight, the day he started from here with the money. I haven't seen you since. Wy, aint you a-going to be over in Clairsville, to see the doctor hung to-morrow?"

"I don't know whether I shall go or not," replied Rumley.

"Well, I've a great notion to ride over there, though I'm monstrous sorry for the poor man."

"Sorry? the devil!—hang all the cursed yankees I say!" responded the amiable deputy sheriff.

"Come, that's to bad—though I like to see you angry on account of the old man's murder, because ye wasn't very good friends with him when he was alive—but bless me, Mr. Rumley, that powder horn looks mighty like old Silversight's," taking hold of it to examine it as he said so.

"Stand off," said Rumley, "what do you suppose I'd be doing with the old scoundrel's powder-horn? It's not his—it never was his—he never has seen it?"

"It's a lie!" cried a person who had glided in during the foregoing conversation, and had obtained a view of the horn in question, as the deputy sheriff jerked it away from the sight of the other; "It's a lie, I know it well, I've bun-

[See Fourth Page.]

[Continued.]

cheer us amid the revilings of the world, can pierce through the bars of a dungeon, and whisper to the desponding spirit, "Blessed are they that mourn, for they shall be comforted."

Charles Rivington was one of too small number of young men who are not ashamed to be religious; "and verily he had his reward."—The mere worldling similarly situated, would have been loud in imprecations, or dumb with agony; but, he upborne by conscious innocence, and knowing that not a sparrow falls to the ground without the will of our heavenly Father, humbled himself in prayer before that Being, "who is mighty to save unto the utmost;" and he arose from the exercise with those tranquilized and invigorated feelings, which are its invariable result.

Nearly two years have elapsed since our hero emigrated to that western region. He was the youngest, and at the time of our narrative, the only son of a widowed mother, who had been doomed to follow successively to the grave, a husband, a lovely daughter, her eldest born, and two fine and promising boys. Sick of the scene where death had made such havoc, and crushed so many fragrant buds of promise, she consented to accompany her sole remaining child to a place where the newness of the country seemed to hold forth greater prospects of success, than was afforded to a young practitioner among the overstocked population of a city. Hitherto their expectations had been amply realized. He who tempts the wind to the shorn lamb, provided for the Christian heart of that poor widow, a balm of sweetest efficacy.—Her son was such as child a mother's pray for; he strove by redoubled filial attentions to supply the place of the lost ones to his parent; and her eyes seldom rested on his manly form, that they did not become watery, from the overfullness of gratified maternal love. Their family misfortunes had rendered his mind uncommonly delicate; and it was she who planted there those seeds of righteousness, which, as we have seen, sprang up and produced goodly fruit.

On the afternoon of her son's commitment, she was sitting in the parlor of the pleasant little house which they occupied, when Judy, an Irish girl, who had lived long in the family, remaining with them through all their trouble, came running, almost breathless, into the apartment.

"Och, mistress, and the Lord bless you," she cried, as soon as she was able to speak, "and preserve your old heart from breaking—but I've got bad news for ye."

"How often, Judy, must I repeat to you," said the pious old lady, interrupting her, "that it was extremely wrong to use the name of your Maker so familiarly on all occasions; 'the Lord will not hold him guiltless who taketh his name in vain.'"

"Botheration! ma'am, but I's no time to tend to that now—"

"Judy!" interrupted Mr. Rivington again, "how can you speak so—"

"Ma'am will you be pleased to hear me?" roared out the servant, at length fully restored to her voice, "are you going to sit here preaching, and let 'em murder Mr. Charles?"

"Charles—gracious Providence! I ejaculated the mother, catching the alarm of the menial, "what is the matter—surely nothing evil has happened to him?"

"Oh, nothing at all, at all mistress," responded Judy, striving to speak calmly that she might not too suddenly shock the trembling parent, then unable to control the feelings she sobbed out, "my poor, dear young master is in prison."

"In prison!" exclaimed the astonished mother, turning quickly to the weeping girl, and grasping her arm—"Judy," said she with the earnestness of agonized apprehension, "tell me the whole truth—you have seen me bear calamity before—what does this mean?"

"Ah, madam, jist be quiet," returned the anxious servant; "it's only one of them drunken hunters what's kilt himself, and the blackguards want to lay it to poor Mr. Charles, because he's a yankee, as they call it, and that's just the whole on't."

"My boy accused of murder! my honorable, my pious boy? Father of mercies! I said the pale and agitated mother, sinking on her knees, "if this withered heart is doomed to receive another wound, if my last earthly prop is torn from me, oh! do thou give me strength to bear this greatest of afflictions, and enable me to say, thy will, not mine be done. She rose with renewed composure, and turning to her maid, "get my hat and shawl, Judy," said she, "I'm glad it's no worse; this is but a passing cloud; for he is innocent, and his innocence will soon be manifest. I feared lest he might be sick, or thrown from his horse; but the Lord be praised who hath not tried his servant beyond her strength."

Such was the language of the exemplary Mrs. Rivington, as she walked out that evening, with the intention of visiting her son in prison. We will not accompany her; their meeting was such as will be anticipated from their enlightened and pious characters; and though the good woman was alarmed by the strength of the circumstances adduced against her beloved boy, yet not for a moment was her faith in the justice of the Almighty so shaken, as to permit a fear that the guiltless would suffer. But leaving them mutually striving to strengthen and encourage each other, we will ask the reader to accompany us into the kitchen of Dr. Rivington's house, whither Judy immediately returned on the departure of her mistress.

"She's a noble-hearted woman, that's what she is," said the girl, whose admiration was excited by the Christian firmness she had seen exhibited; "she's jist the right sort of a mother for such a swain young gentleman as he is; and you, Jimmy," (turning to Buckhorn, who sat

with a sorrowing countenance in a corner) "you're a pretty blackguard arn't ye, to give information 'ginst a man what you know never did harm in his born days. All git along with ye—I'm fairly sick of ye!"

"But, Judy, when we found the the rifle laying by the dead body," answered the distressed young man, "I every natur'ly said to Carlock, that that was the best trial we could have: for I know'd old Silversight had been down in the new settlement, and so, says I, the man what got this 'ere rifle from Drill's, must be the murderer; but if I'd know'd it was the Doctor took it out, miss fire but I'd a held my peace, if I never could shoot buck again till I told it. I hardly believe he killed the old fellow, though."

"Now, pon my honor ye're a great fool," responded the indignant Judy; "you hardly believe it, do you? I tell you what, Jimmy Buckhorn, the man as comes a sparking to me, if I set ever so much by him, should never get my consent; if he was the means of putting the dear young gentleman into limbo, but he contrived ways and means to get him clear again. You don't believe he's guilty? Arrah now Jimmy, I've told you afore I'se a sort of liking for you, but I'd sooner b'lieve you had murdered the poor old vagabond, in cold blood, than that I Mister Charles did it, if he was ever so provoked."

Buckhorn rose from his seat when the fluent and handsome Irish girl had finished her speech and taking her hand, "Judy," said he, "my nig is tired down—but I'll get Bob Miller's— I'll go down and see the Doctor at the jail window, and find which way he went out to the head waters—then I'll follow up his trail from town, and see where he cut off to the Wentworth's for his sartin he slept there—and it may turn out that the villain's trail and his are two different ones. If so be that's the truth, I'll keep on the scent till I find out who the rail rustlin' is—and there's no time to be lost, for it may come up to now, and that will fill up the tracks in short order. So, Judy, give me your hand, and there," continued he, kissing the blushing girl's lips, "there, I'll find out who the scamp is, or, in case that's impossible, if Doctor Rivington doesn't git clear, it shall be his own fault."

A heavy fall of snow did unfortunately occur that night, leaving the wide prairies as white and as smooth as unwritten paper and consequently deprived our culminating hero of the most obvious, and apparently of every mode of substantiating his innocence. His confidence, however, in the Divine protection was undiminished; and rightly, from the silence of his cell, went up the inaudible aspirations of a soul that firmly relied on the goodness and justice of its prayer-hearing Father. Nor did those pious orisons ascend unaccompanied through the still vault of night to the Almighty's ear: the aged mother's contrite heart was poured out in an agony of prayers; the parents of his affianced bride knelt often before the throne of Heaven for the welfare of their slandered boy, as in their affection they called him; and the blue eyes of Catharine wept supplications, and her pure and innocent heart, hitherto untouched by sorrow, except on the occasion of her sister's death, now continually sent unworded and unutterable appeals to her Creator, for her lover's life. In the mean while, week after week, rolled by, and the day appointed for trial at length arrived.

[CONCLUDED NEXT WEEK.]

From the American Traveler.
REVOLUTIONARY REMINISCENCE.

When the American army retreated from Canada, after the disastrous expedition to the "Three Rivers," it lay some time at Crown Point, while the British army occupied St. Johns. The American General desired to obtain some information in regard to their anticipated movements, Mr. Badger volunteered for the purpose; embarking with three others in a boat he landed near St. John's about dark.

It happened upon that night, a ball was given by the British officers, of which they obtained information from a countryman whom they made prisoner. Leaving him in the boat in custody of two of his party, Badger proceeded with the others into the town, with the view of making prisoner some one of the officers. He was well acquainted with the localities of the town and watching near a house occupied for officers' quarters, at last discovered an officer coming out ready dressed for the ball. They sprang upon him ere he was aware of their presence, and with loaded pistols presented at his head, commanded him, in silence, to follow them.—When they reached the boat, a new and bolder idea struck Badger. Being of nearly equal size with the prisoner, he ordered the latter to exchange clothes with him; and determined under the mask of a British uniform to attend the ball and gather what information he could from the conversation of those there present.

The circumstance that many of the officers under Sir Guy Carleton's command had recently joined his army and were personally unknown to each other, favored his design.—He collected from their conversation what intelligence he desired—danced as long as he pleased, and when tired of that amusement returned to his boat—discharged the countryman; and with his other prisoner returned in triumph to Crown Point. Had he been detected, the fate of Major Andre and of Capt. Hale had been his. But he was more fortunate.

"Mr. Shoemaker, I want you to mend these ere boots for me nice—and 'spose you won't ax no mor'n half price?" "Half price! why, then, your boots can't be mended at all—they are too far gone." "O no they arn't—just put new legs and new feet on them, and I guess they'll do."

GEN. JACKSON'S BEDSTEAD.—The bedstead used by General Jackson, during his stay in New Orleans, was sold at auction in the French Exchange, on the 15th inst. for one hundred and thirty dollars.

DIGNITY OF LABOR.—How often do we see the starched dandy, or the would-be literateur speaking contemptuously of the laborer, although some of the most illustrious men have followed the plough or lived grangers. Does God hold the laborer in high esteem? He placed the first human being—whose soul had as yet been undefiled by sin, whose frame was uninjured by crime, whose intellect was free from error—in a garden which he was commanded to cultivate. Ay! and he to whom angels ministered—whose glorious God-head was veiled in flesh, whose parent was a controller of suns and creation's destiny—lived for years a carpenter.

It would seem that of all others, a mother was the most proper person to superintend the education of a young female. The maternal watch is vigilant and active; none else can feel the deep and anxious solicitude which marks a mother's care; and yet this very anxiety, by becoming too intense, may be injurious to the child. The quick imagination of the parent seizes upon the most trifling indications of future character, and she is alternately agonized with fear, or delighted with hope. These strong emotions are not favorable to a steady and even course of education; for as one or the other feeling prevails, there is danger of trifling actions becoming the subjects of inadequate blame or praise.

A man in prosperity forgets every one; and in adversity every one forgets him. In prosperity he appears to have lost his senses; and when loaded with misfortunes, he is said never to have had any. In his sudden elevation, he becomes discontented with all the world; and when whirled to the bottom of the wheel of fortune, all the world are discontented with him.

The following anecdote, concerning Dr. Arne, may not perhaps, be known to many of our readers: "two gentlemen having differed in opinion which was the best singer, and it was agreed to leave the case to Dr. Arne, who having heard them both, observed to the last gentleman that sung, "Sir, without offence, you are the worst singer I ever heard in all my life." "There, there," exclaimed the other, exultingly, "I told you so, I told you so." "Sir, said the Doctor, "you must not say a word, for you cannot sing at all."

An odd sort of a genius having stopped in a mill, was looking with apparent astonishment at the rotary movement of the machinery, when the miller, thinking to quiz him, asked if he had heard the news.

"No; as I knows on," said Jonathan, what is it?"

"Why," replied the miller, "they say the de—l—l is dead."

"By jings!" he exclaimed, "is he? who tends the mill?"

Always mind your dots in writing. A Maine Congressman on arriving at Washington, wrote to his wife that he had "formed a connection with a very agreeable Mess., and expected to spend the winter very pleasantly. Unfortunately, and greatly to the surprise and mortification of his good lady, he inadvertently dotted the e in the word Mess. This circumstance came well nigh severing two fond hearts.

A school boy fourteen years of age at a public seminary, being lectured by his tutor for not remaining until morning the lesson he had learned over night, and, being asked the reason, replied, "I don't know, sir, unless it is because I sleep without a night-cap, and it evaporates before the morning."

"Dick," inquired the maid, "have you been arter that are salaratus?" "No, I hant." "If you don't go quick, I'll tell your mistress." "Well, tell mistress as soon as you please. I don't know Sally Ratus, and won't go near her—you know well enough I'm engaged to Deb."

A coroner's inquest was held before Mace Smith, Esq. at South Boston, yesterday, on the body of Seth Graham, machine, belonging to the State of Maine, found near Abbott's wharf, with a junk bottle by his side, containing New England rum! Verdict of the jury; death by exposure caused by intemperance.

Why is the life of an editor like the book of Revelations? Because it is full of "types and shadows," and a mighty voice like the sound of many waters, is ever saying unto him, WRITE.—New Era.

A young lady, at an examination in grammar, was asked why the noun bachelor was singular. She replied immediately, and with much vivacity "because it is very singular that they don't get married."

The loss sustained by the destruction of the St. Louis Exchange, at New Orleans, is not less than \$700,000, only \$25,000 of which is covered by insurance. It is feared that several lives were lost. Several members of the fire department are missing. One of the firemen had both his legs broken by the fall of a heavy beam, while others were severely bruised.—A painful rumor prevailed that a planter from the coast, laboring under indisposition, was unable to leave his room, and perished in the flames.

GEN. JACKSON'S BEDSTEAD.—The bedstead used by General Jackson, during his stay in New Orleans, was sold at auction in the French Exchange, on the 15th inst. for one hundred and thirty dollars.

CAUTION.—All persons are hereby forbidding or trusting JESSE MORGAN, an indentured apprentice, bound to me by the Overseers of the Work House in Portland, on my account, as he shall pay no debts of his contracting after this date, he having got me without sufficient cause: JARED YOUNG.

In the case of Benjamin Brandreth against B. B. Mussey, in which the plaintiff sought to recover damages of the defendant for counterfeiting his pills—a verdict was taken in the Supreme Court, yesterday, for plaintiff, by agreement, for \$6,283.

It is currently reported and generally believed that Brandreth paid Mussey a large sum to have this verdict entered; and immediately the fact of the verdict was trumpeted forth as establishing the excellence of Brandreth's Pills.—This may be called the quackery of law.—*Advertiser.*

THE LION ROARS LOUDEST WHEN THE MOST FRIGHTENED.—In the commencement of the American Revolution, when one of the British King's thundering proclamations made its appearance, the subject was mentioned in a company in Philadelphia; a member of Congress who was present, turning to Miss Livingston, said, "well-Miss, are you greatly terrified at the roaring of the British Lion?" "Not at all, sir, for I have learned from natural history, that a beast roars loudest when he is most frightened."

ESCAPE FROM DEATH.—A man was buried alive, by the caving in of a well, on the 30th ult. at Verplanck's Point, N. Y. He remained covered up for twenty-four hours, at the end of which time he was disinterred, and was found to be alive, and in none the worse condition for his temporary absence from "the warm precincts of the cheerful day."—*Post.*

A crow, or what appears to be of that species of bird, with white wings, has been seen in Middleboro', Mass., and vicinity for several months past. Its body is as black as other crows, and keeps in company with them, has the same habits, and in all respects resembles them except its wings, which are entirely white.

RATHER CUTTING.—A Lawyer in New York, recently sued a client for a fee charge of \$100, but he recovered only \$10. If all lawyer's fees were thus cut down, we should probably see fewer signboards, with the word "office" upon them, and fewer "green bags" wending towards the Court House.

NEW ORLEANS BRANCH MINT.—The New Orleans Mint began operations in December last, and to the 1st instant has coined 9,396 quarter eagles, 18,000 half dollars, 130,000 dimes, and 160,000 half dimes making 317,396 pieces, and amounting to \$53,490.

It is said that a vessel sailed from Boston for Sinyra, the other day, having on board twenty thousand gallons of N. E. R. The Sultan of Turkey had better pass a fifteen gallon law forthwith.

MAINE BOTANIC INFIRMARY, WESTBROOK, MAINE.

GEORGE BAILEY

WOULD inform the friends of the THOMSONIAN SYSTEM of Medicine, and all others who prefer the health restoring remedies used in this practice, to the life depleting minerals of the old, that he continues to receive patients at his

INFIRMARY,

where every exertion, for the promotion of their health and comfort, will be made by himself personally, and by his assistants. Diseases of all kinds (except contagious, which are admitted) are treated with unsurpassed success.

Patients given up by the Faculty, as incurable, would be preferred.

A full assortment of THOMSONIAN MEDICINE, in crude and prepared states, and of the best qualities, constantly on hand.

* TERMS—Three dollars for a Course of Medicine, with or without Vapor Baths; three dollars per week for Board.

Maine Botanic Infirmary, Westbrook, February 10, 1840. 3m27

Commissioners: JOHN J. HOLMAN, ISAAC WAIT, DIXFIELD, Feb. 10, 1840. 3m23

STATE OF MAINE.

RESOLVE IN RELATION TO MILITARY PENSIONS.

RESOLVED, That the Committee on Military Pensions, be now, and hereby are instructed to adopt the same, and to report to the Legislature, a bill for the same, to be introduced in the next session of the Legislature, for the payment of pensions to the veterans of the North Eastern Frontier, as are prescribed in an Act of Congress, entitled "An Act to provide for persons who were disabled by known wounds received in the revolutionary war," passed April 10th, 1800.

In the House of Representatives, February 7, 1840.

CHAS. ANDREWS, Speaker, Pro tem.

In Senate, February 8, 1840. Reid and passed.

S. STEPHEN C. FOSTER, President, February 12, 1840—Approved.

JOHN FAIRFIELD,

Secretary's Office, Augusta Feb. 12, 1840.

I certify that the foregoing is a true copy of the original in this Department.

PHILIP G. JOHNSON, Secretary of State.

In pursuance of an Order of the Legislature, the Publishers are requested to publish the foregoing Resolution.

PHILIP G. JOHNSON, Sec'y of State.

WANTED—An Apprentice at the Edge Tool business, by the subscriber, at Gray Corner, W. G. ORINE.

Gray, Feb. 17, 1840. 3m23

ISAAC BANDALL,

ATTORNEY AT LAW,

DIXFIELD, ME.

ON THE SMALL POX.
To the Citizens of Boston & State of Massachusetts.

SUCH is at any other time of life, the human species, however, is subject to it at any period of existence. The cause of human life has become mixed with the circulation of the blood, either from contagion, or otherwise. It is this humor which produces shivering, fever, sickness, and pain all over the body, because the circulation is impeded, and in natural

Oxford Democrat.

Volume 7.

Paris, Maine, Tuesday, March 17, 1840.

Number 31.

OXFORD DEMOCRAT,
PUBLISHED EVERY TUESDAY BY
Geo. W. Clark,

EDITOR AND PROPRIETOR.

TRANS.—One dollar and fifty cents in advance, one dollar and seventy-five cents at the end of six months; two dollars at the end of the year, to which twenty-five cents will be added if payment be delayed beyond six months.

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MISCELLANEOUS.

THE RIFLE.

BY THE LATE WILLIAM LEGGETT.

CONCLUDED.

CHAPTER IV.

"—Foul deeds will rise."

Richard III.

The little village in which the sessions of the circuit court was held, and which, for the sake of a name, we will call Clairville, contained about fifty or sixty houses, most of them constructed of logs. There was an open space in the midst of it, termed "the public square," in which stood a building answering the double purpose of court-house during sessions, and of meeting-house, when a occasional missionary passed through that part of the country. It fronted on the public road. The jail occupied a corner of the same place. It was a small, one story edifice, about twelve feet square, and like the Court-House, built of large hewn logs, fastened together with iron bolts at the corners. Its single apartment contained but one door and window, both secured by strong bolts and bars. A large brick house, the only one in town, was situated on the rear of the square, and was occupied as a hotel, as the traveller was informed by a huge sign suspended form a post at the road side, where was conspicuously written, in great yellow letters, beneath burlesque likeness of George Washington, "Entertainment for man and horse." A little further up the road, or Main street, as it was called, though there was but one in the village, on the opposite side, was another tavern of more humble appearance than the first. It was around these two places of public entertainment, that a numerous assemblage of persons collected on the morning when the important trial was to take place, all eagerly conversing on the crime of which the prisoner was supposed to be guilty; and many of them uttering no very moderate anathemas against the yankees, whom they pretended to consider *en masse*, as rogues and cheats, and who, at least, were coming into the country to break up their old manners and customs. The women, who were plentifully sprinkled among them, seemed very willing to join in the general clamor.

"They're a monstrous fidgety people, say the least of them," observed the large fat wife of a farmer, and her sleepy eyes and unmeaning face assumed something like angry vivacity as she spoke. "They want a heap of waitin' on, and you don't git no thanks' after all. Now there was old Wentworth—he tarried with us, you know, Catharine, on account of his da'ter, when he first cum out here. Good coffee wasn't good enough for 'em; they must have a little tea, to be sure. So I sent Johnny down to the settlement to git some, and took a heap of pains to cook the truck—and what do you think? they wouldn't eat a bit on't after all. I don't much wonder, neither, for 'twas bitter, nasty trash as I'd wish to taste. But it's always the way with 'em. They make trouble just for nothing."

The remarks of the indignant woman were fully concurred in by most of her simple and unsophisticated hearers; but there was one among them who was obliged to thrust his tongue into his cheek, and turn aside to prevent the dame from seeing his laughter. He was the merchant's clerk, and had heard the story before. The fact was, that having never used the article of tea in his life, the poor woman had caused a pound of it to be purchased, and boiling it all in a kettle, had served it up to her guests as greens for dinner.

"They tell," said a farmer, who had the reputation of being a wit among his fellows, and whose linsey woolsey coat contrasted strangely with a printed calico shirt, the collar of which was ostentatiously displayed—"They tell that old Silversight had a power of money when he was killed. It's kill or cure with these yankee doctors, any how; but that was the queerest pill to give a patient I ever heard of; and he took the trouble of your lungs, Carlock, and paid the bill himself, out of the dead man's pocket, hey?"

Such is a specimen of the idle talk with which the crowd amused themselves until the Court at length assembled, when after the usual preliminaries, the important trial commenced. The prisoner had been supplied by his anxious and affectionate parent with all the little comforts which the narrow apartment admitted of, except fire and candles; they being forbidden on account of the material of which the jail was constructed. But the coldness of the weather had been excessive, during a part of the time that he was the occupant of that dreary abode; and the boundaries of his cell not allowing of much exercise, a sickness fastened upon him, which, though not dangerous in its nature, had rendered him thin and pale. He came into the Court arm in arm with the attorney who was employed to plead his cause; and slightly bowing to those whose friendly salute indicated that they believed him innocent, he passed through the crowd and took a seat beside the lawyers within the bar.—

From the high and exemplary character which he had sustained invariably, from his first settling in the place, until the present black suspicion rested on him, a degree of intuitive respect was accorded by all, that must have been highly gratifying to his feelings. A plea of not guilty was entered, and the examination of witnesses commenced.

George Carlock was the nephew of the deceased. On the night of the sixteenth of December, he was surprised to see the horse of his uncle arrive, with the saddle and bridle on, but without a rider. He thought that the deceased had stopped for a while, perhaps, at Buckhorn's, who lived a mile or so further down the timber; but as the night passed away without his returning home, he started early in the morning with the intention of trailing the horse. He called for Buckhorn, they upon the trail, followed it till they had found the dead body. Two young men who had joined them at Buckhorn's returned with the body, they continuing on the trail. It led them to Mr. Wentworth's. They inquired if any person had been there, that crossed over from the other side of the stream. They were answered that Dr. Rivington had crossed the stream and remained the night with them. That Mr. Rumley, the deputy sheriff, had also remained the night, but that he came from further up on the same side. They followed on the trail, and found that there was a tract from further up, most likely Mr. Rumley's. They continued on the track till they arrived in town. Being informed by Mr. Drill, the gunsmith, that Dr. Rivington was pale, in consequence of sickness, produced by his exposed situation in the prison; but the appalling events of the trial had caused no alteration in his appearance. He sat firm and collected, and there was a melancholy sweetness in the expression of his countenance which told that all was calm within. Indeed, the awful coincidence of the circumstances had been made fully known to him, before he came into court; he was convinced unless the interposing arm of heaven should prevent the blow, that death and ignominy must fall up him, and, after a severe internal conflict, he had become enabled to say,

"I did not."

"Did he exhibit any anxiety to obtain the weapon?" again asked the lawyer.

"By no means," replied the gunsmith, "I considered at the time that Doctor's offer was one of mere kindness; and he had previously mentioned that he was going out that way to visit his patients."

"The bore of this rifle, Mr. Drill," continued the sagacious lawyer, "is very small. I presume that you are familiar with the size and qualities of all that are owned on the road out to Buckhorn's. Is there any house at which Dr. Rivington could have stopped and procured a ball of sufficient smallness?"

"John Guntry's rifle," answered Mr. Drill, "carries eighty-seven or eight to the pound, and one of his bullets with a thick patch, would suit Buckhorn's pretty well. That is the only one anywhere near the size."

"The Attorney for the people here asked another question.

"For what purpose, sir, did the prisoner go into your shop, on the morning of the sixteenth December?"

"I was employed in repairing a pair of pocket pistols for him, and fitting a bullet mould to them. He came in, I believe, to inquire if they were finished."

"Please to note that answer, gentlemen of the jury," said the prosecuting attorney. "Mr. Drill, you may stand aside."

Samuel Cochrane was next called. He was one of the young men who had returned with the body of Silversight. On his way back, and about two hundred yards from the place where the murder had been committed, he found a copper powder flask, (which was shown to him and he identified it) the letters C. R. M. D. being cut upon one of its sides, apparently with a knife. There was but one more witness on the part of the people, Mr. Lawton, the magistrate before whom the unfortunate prisoner had been examined. He testified as to the facts which were deposited before him, together with the acknowledgement of Dr. Rivington that he had been in company with Mr. Silversight, &c. But we may pass over these circumstances, as the reader is already acquainted with them.

The prisoner was now put on his defence; and all that talent and ingenuity could devise, was done by his skilful counsel. The witnesses were cross-examined; but their answers were uniformly the same. A large number of respectable persons came forward to testify to the excellence of our hero's general character, but their evidence was rendered unnecessary by the attorney for the people admitting in unequivocal terms, that previous to this horrid occurrence, it had been examined in a high degree. At length, wearied by his exertions, and distressed at their result, Mr. Blandley discontinued his examination; he had one more weapon to try in behalf of his client—the powerful one of eloquence; and it was used by a master of the art, but alas! was used in vain. He dwelt much on the fact that his unfortunate client had wished his route to be travelled from the village, and that Buckhorn had started for the purpose, when the disastrous snow storm occurred, and took away the only hope he had of proving his innocence. He cited many cases to the jury in which circumstances, even stronger than these, had been falsified, when their victim, murdered by their laws, was slumbering

in his grave. He appealed to them as parents to know if they would believe, that a son, who had been without stain or blemish, could suddenly turn aside from the path of rectitude and honor, to commit such an atrocious crime? But it would be useless to recapitulate the arguments that were made use of on this interesting occasion—they were ineffectual.

The attorney for the prosecution summed up very briefly. He assured the jury that the evidence was so clear in its nature, so concatenated, so incontrovertible, as to amount to moral certainty. Near the body of the murdered man, a powder flask, such as the eastern people principally use, had been found, with the initials of the prisoner's name and medical degree engraved upon it C. R. M. D. Charles Rivington, Doctor of Medicine. The trail is pursued, and it leads them to the house of Mr. Wentworth, where the prisoner arrived on the evening of the bloody deed, and remained all night. They continue on the trail, till at last they find him, with greedy eyes, bending over the plunder that he had torn from his grey haired victim. "Such," concluded he, "is a rapid outline of the facts; and deeply as I deplore the wretched young man's guilt, yet, believing him guilty, it is my sacred duty to display his enormity—but further than the impious call of justice requires, I will not—I cannot."

The charge of the judge, who was evidently very much affected, occupied but a few minutes; and the jury retired to make up their verdict. I have already told the reader that the prisoner was pale, in consequence of sickness, produced by his exposed situation in the prison; but the appalling events of the trial had caused no alteration in his appearance. He sat firm and collected, and there was a melancholy sweetness in the expression of his countenance which told that all was calm within. Indeed, the awful coincidence of the circumstances had been made fully known to him, before he came into court; he was convinced unless the interposing arm of heaven should prevent the blow, that death and ignominy must fall up him, and, after a severe internal conflict, he had become enabled to say,

"They will be done."

His mother, by the assistance of that never failing comfort in sorrow, religion, had hitherto supported, with something like resignation to the divine will, this greatest earthly calamity. In compliance with the earnest request of his son, who was fearful that the feelings of nature might become too strong for control, and who wished to behave with manliness and equanimity through the trying period, she refrained from going to court, on the day that was to decide, in a great measure, her mortal destiny.

Seated in the little parlor of their dwelling together with the weeping Catharine, the strength of whose love had drawn her to the spot, and a waiting with intense anxiety the issue of the lagard hour, was the mother of Charles Rivington, at the time which I have brought my narrative. She started at each noise that reached her ear, and every breeze that shook the casement seemed laden with the awful sentence of the law against her son. And yet that noble woman, though torn by the deep and awful solicitude which only a mother's heart can know, strove to speak the words of comfort to the lovely being beside her, whose affectionate bosom seemed bursting with affection.

"Weep not so bitterly," she said, "Catharine, my dear child; alas! I soon may have no other child than you. But no; the Searcher of hearts knows that Charles is guiltless, and will yet put forth his arm to save. What sound was that! I am wrong to distrust his goodness; yet this is a heavy, heavy hour. I have knelt, Catharine, at the bedside of three lovely children, three little human blossoms, that death untimely cropped, and was enabled to bow with resignation to the inscrutable decree. But this, oh my Father," groaned the tortured parent, "suffer this bitterest cup to pass from me. Catharine, dry your tears: He whose powerful hand led forth unharmed from the fiery furnace, the three that would not renounce his name, will deliver my boy from the toils that are around us."

At this moment Judy was seen from the window running rapidly toward the house and directly after, pale and breathless, entered the apartment.

"Judy!" faintly cried the agonized parent trembling in every nerve, but unable to utter more.

"An', madam," responded the servant, "I know what you'd be asking me—tak' comfort, it's no decided yet; the juries has just gone up stairs, to talk it over among themselves: and blesss their souls, they cried a'most as I did myself when Mr. Blandley spoke to 'em. Ah, he's a nice gentleman, and he knows exactly what kind o' body, Mister Charles is. He described him just for all the world as I would, only I couldn't use such words."

"The jury wept—there is hope, then, Judy!" inquired the parent in a faltering voice.

"Wept did they? yes, and the judge, and Mr. Wentworth could scarce give his evidence for crying—and they all cried, except Mr. Charles himself. He looked pale and sorrowful, but there was no blubbering about him. I never see'd him look so ilegitant afore. But I jist rin here to tell ye how things was going on: I'll go back, and find what the juries says. I hope they may never be able to open their ugly mouths, till it's just to spake the word 'innocent'."

"Stop, Judy," said Mrs. Rivington, feeling unable to endure the horrors of another period of suspense. "I will go with you; I trust that heaven will give me strength to bear the issue, even should it be the worst that can befall!"

"Ye had better not, my dear mistress," replied the devoted servant; "for there are hard-hearted people about the place that b'lieve he's

guilty, because he's a Yankee—oddsrot their saucy tongues—and they mout jeer at ye, because ye're his mother."

"They cannot—at any rate, I will go forth," said the afflicted woman, "he's my own, true, pious, noble-hearted boy; and his mother will be to whisper consolation in his ear, though every tongue were loud in mockery and revilements."

"And I will go with you, mother," said Catharine, rising from her chair, and drying her tears, "I know he is innocent—and should the worst come, it is better to bear it at once, than linger here in such protracted anguish."

The assembled crowd was still anxiously awaiting the return of the verdict, when the mother of Charles Rivington, leaning on the arm of Catharine Wentworth, entered the court house of Clairville. A passage was instantly opened for them with that intuitive respect which almost all men are ready to yield to misfortune, even when accompanied by guilt. They had not been long seated, in a part of the room where they could be most screened from observation, when the jury returned, and handing a sealed verdict to the clerk, resumed their places. The clerk rose, and read in a faltering voice, "we find the prisoner, Charles Rivington, guilty."

"The prisoner has broke out!" The words had scarcely left his lips, when a piercing shriek ran through the apartment, and Catharine Wentworth fell lifeless to the floor. Not so with that Christian mother—with unwonted strength she darted through the assembly, until she reached her child: "my boy!" she cried, "Be of good cheer. Your heavenly Father knows your innocent soul, and sees that you are guiltless. We shall lie down together—for think not I can survive you—we

shall lie down together to awake with the Lord—my boy—my boy! little did I think to see this bitter day! exhausted nature could endure no more, and the mother fainted in the arms of her child.

I shall not attempt to describe the situation of my unhappy hero, for words are inadequate to the task. The insensible forms of his mother and beloved Catharine were conveyed from the scene: and when some degree of silence was restored, among the sympathizing multitude, the judge proceeded to pronounce sentence upon him. He had nothing to say to avert it, except a reiterated declaration of his innocence, and he besought the court, that the time previous to his execution might be made as brief as possible, in mercy to his bereaved parent, who would be but dying a continual death, while he survived. It was accordingly fixed to take place on that day three weeks.

CHAPTER V.

It was near midnight of that important day—that busy throng which the trial had collected together were dispersed, and the moon, high in heaven, was waning on her silent course, through the clouds of a wintry sky, when Charles Rivington, startled from unquiet slumber, by a fancied noise at the door of his prison, and sitting up in his bed that he might more intently listen, heard his own name whispered from the outer side.

"Will you wake Mr. Charles?" was softly uttered in the sweet accent of our little Irish acquaintance, Judy. "Was there ever like the like?" said she, "and he a sleeping at that rate, when his friends are opening the door for him."

"Be quiet, Judy," responded a masculine voice but modulated to its soft tone, "and stand more in the shadow. The Doctor'll wake fast enough, as soon as I git this bolt sawed out; but if ye git that tavern keeper's dog a barking, there's no telling but it may wake the jailor, instead of the Doctor.

"And you're right Simmy, dear," responded Judy, "there now, let go with your fingers, man; you can't pull it off that's way. Here, tak' this bit of a stake for the pry—and now, that's your sort, continued she, adding her strength to his, and a large end of the log to which the fastenings of the door were appended, fell to the ground. Now, one more pull Jiminy and the day's over."

They accordingly made another exertion of united strength, when the prison door flying open Buckhorn and Judy stood before our prisoner.

"There, Mr. Charles, say nothing at all, at all, but just take Jimmy's nng, that's in the hollow, and get clare as well as you can. There's a steamboat, Jimmy says, at St. Louis, going right down the river, and here's all the money that we could git, but it's enough to pay your passage any how," said the affectionate girl, tears standing in her eyes, as she reached to her respected, and as she firmly believed, guiltless master, all her own hoardings, together with the sum which Buckhorn had been accumulating, ever since he become a suitor, for her hand.

"You are a kind and excellent girl," answered Rivington, sensibly affected by the heroism and attachment of his domestic, "and you are a noble fellow, Buckhorn, but you forgot, that by flying I should only confirm those in the belief of my guilt, who are wavering now; besides, I could hardly expect to escape; for my life is forfeit to the law, a proclamation would be immediately issued, and apprehension and death then, as now, would be my doom. No, my good friends; you mean me well but I cannot consent to live, unless I can live with an unsullied name."

"Ah, dear doctor," sobbed out poor Judy, whose heart seemed almost breaking, "what's the use of speaking about it? If you stay, you've but a few days to live, and if you tak' your chance now, who knows but the rail murderer may be found out, and then you might come back, Mr. Charles, and all would go well again."

"That is a powerful argument, Judy; but my trust is in Him who beholds all our actions," replied the devoted servant; "for there are hard-hearted people about the place that b'lieve he's

not divest myself of the hope, that the truth will

yet be brought to light, before I die the death of a felon."

"Doctor Rivington," said Buckhorn, going up to him and taking him warmly by the hand, "I've been wavering all along about you; but I'm satisfied now. The man that murdered Silversight in cold blood, would'n't be a going to stand shilly-shally, and the jail door wide open. I always was dub'ous about it, though the proof seemed so sure. My nng is down in the hollow, with saddlebags on him, and Judy filled 'em full of your clothes you may take him, Doctor, if ye will; you may take the money in welcome—but I, that come here to get you clair, advise you to stay; and if I don't find out somethin' to turn the tables before-hanging day it shan't be because I don't try."

Our hero exchanged with the honest hunter one of those warm pressures of the hand which may be termed the language of the soul, and conveyed to him by the eloquent action, more than he could readily have found words to express. They were now alarmed by the report of two rifles near them, fired in quick succession, and two persons issuing from the shadow of a neighboring horse stod at the same moment, made directly toward the door of the jail, crying out in a loud voice, "the prisoner has broke out!" Our friends, Judy and Buckhorn, were enabled to make good their retreat, as the object of alarm seemed more to secure the prisoner, than the arrest of his intended deliverers. It was not many minutes before a considerable number of the idle and the curious were collected by this clamor around the insufficient place of confinement, and effectual means were devised to prevent any danger of a further attempt at rescue.

The glimmer of hope which had been lightened up in our hero's heart by the last words of Buckhorn, and the confident manner in which they were uttered, gradually declined, as day after day rolled by, and no traces could be discovered of the real perpetrator of the crime. To add to the anguish of his situation, he learned that his beloved Catharine was confined by a wasting fever, to her bed; and that his mother, though she still bore up, and uttered not a murmur against the Almighty's will, was fast sinking of a broken heart into the grave. The evening previous to the fatal day which was to terminate his earthly career, at length arrived, but brought no cheering promise with it; and the unhappy young man therefore humbling himself before the throne of heaven, and beseeching that mercy there, which he could no longer hope for on earth, devoted a greater part of the night to prayer.

It was on the same evening, in a little mean looking cabin, called "Brown's tavern," in the place which we have before had occasion to speak of as the New Settlement, that two persons were sitting at a table with a bottle of whiskey between them, conversing on the general topic, the execution that was to take place on the morrow, when a third one entered, and calling for a dram, took a seat some distance from them. He was a tall, dark man, dressed in a hunting frock, and buckskin leggings; and held in his hand one of these mongrel weapons, which, partaking of the character both of rifle and musket, are called smooth bores by the hunters of our western frontier, who, generally speaking, hold them in great contempt.

DEMOCRATIC CONVENTION.

According to previous notice, the Democratic members of the Legislature of this State, assembled in the Representatives' Hall, on Thursday evening, March 5, 1840.

Mr. Cobin of Hartford, called the Convention to order.

The convention was then organized by the choice of Hon. Stephen C. Foster, President, and John W. Dana, and Benjamin D. Eastman, Secretaries.

On motion of Mr. Hamlin of Hampden, *Voted*, That the members of the Executive Council, and other Democrats present, be invited to participate in the deliberations and doings of the Convention.

On motion of Mr. Carey of Houlton, *Voted*, That a Committee of five be appointed to receive, sort and count the votes for a candidate to be supported for Governor for the ensuing year.

Messrs. Carey of Houlton, Barker of York, Gross of Cumberland, Wilson of Thomaston, and J. P. Gaines of Passadumkeag, were appointed said Committee.

On motion of Mr. Perkins of the Senate, a committee of seven was appointed to draft and report Resolutions for the consideration of the Convention.

Messrs. Perkins of York, Hammons of Oxford, Delesdernier of Baileyville, Robinson of Corinth, Blackstone of Belfast, Weeks of Clinton, and Otis of St. George, were appointed said committee.

The committee appointed to receive, sort and count the votes for a candidate to be supported for Governor at the next annual election; having attended to that duty, reported,

That the whole number of votes thrown, was one hundred and sixty-six, all of which were for JOHN FAIRFIELD.

On motion of Mr. Shaw of the Senate, *Voted*, That a committee, consisting of one from each County, be chosen to wait upon the Hon. John FAIRFIELD, to inform him of his nomination by this Convention.

Messrs. Shaw of York, Merrill of Waldo, Mallett of Minot, Main of Belgrade, Prince of Buxfield, Kelsey of Calais, Blaik of Penobscot, Hill of New Portland, Kimball of Thomaston, Caswell of Farmington, Douty of Sangerville, Lake of Bucksport, and Leavitt of Smyrna, were appointed said Committee.

The committee having attended to the duty assigned them, reported, That the Hon. John FAIRFIELD had signified his acceptance of the nomination of the Convention, in a written communication, which they asked leave to lay upon the table.

The communication was then read, and is as follows:—

To the Democratic members of both Branches of the Legislature, now assembled in Convention. Gentleman, I am informed by your committee that you have been pleased to nominate me for the office of Governor, and request an answer. I am truly grateful, gentlemen, for this renewed expression of the confidence of my fellow citizens, and if you believe that our common principles, and the public good, can be promoted by again using my name as a candidate, you are at perfect liberty so to do. I am gentlemanly, very respectfully,

Yours very truly,
JOHN FAIRFIELD.

On motion of Mr. Bradley of Penobscot, *Voted*, That a committee of five be appointed to receive, sort and count the votes for two candidates to be supported for electors at large, of President and Vice President.

Messrs. Bradley of Penobscot, Bolster of Oxford, Foster of Freedom, Lord of South Berwick and Shaw of Windham, were chosen said committee.

This committee, having attended to the duty assigned them, reported,

The whole number of votes thrown, were 150, of which JOHN JONATHAN P. ROGERS and JOB PRINCE, each had 149, and were nominated.

The following gentleman were appointed as Delegates to the Baltimore Convention:—

John T. Paine of Sanford, Hannibal Hamlin of Hampden, John G. Perkins of Kennebunk-port, John Anderson of Portland, Edward O'Brien of Warren, Hezekiah Williams of Castine, Samuel Wells of Hallowell, David Hammons of Lovell, James Bell of Monson, Alfred Marshall of China.

Mr. Perkins, from the committee, appointed to draft Resolutions for the consideration of the Convention, reported the following, which were unanimously adopted.

Resolved, That the blessings of civil and religious liberty, under the allotments of Providence, have fallen to us in pleasant places, and the legitimate offspring of our inalienable rights, recognized and guaranteed under the Constitution of our Government; and, as American citizens, we are bound to guard them, with an eye of vigilance, and protect them, with an arm of patriotic devotion, in gratitude for their inheritance, and in fidelity to ourselves and our posterity.

Resolved, That in the enjoyment of our political rights, upon the broad platform, "of the greatest good to the greatest number," we have found, as well as our Fathers, that we must encounter a spirit of monopoly, that would confer this good upon the few. Hence a division into political parties, and the unceasing struggle between them for the prevalence of principles, and for power to carry them out in the administration of the Government.

Resolved, That even common observers can identify in the political action of our opponents, this spirit of monopoly, and nursery of aristocracy, and that an appeal to history will show, that as a party, they have ever been the advocates of the privileged classes, pleading the validity, and paramount obligation of their chartered rights and privileges, while the Democratic party, subduing and annihilating a spirit of anti-monopoly, have boldly plead the cause of equal rights, and common privileges, guaranteed under the great magna charta, the Constitution.

Resolved, That Democracy, abhors this spirit of monopoly, with all its legitimate offspring of privileged classes, and eschews it under all its

disguises. Under the assumed name of "National Republican," it attempted in vain to hide its political deformities, and with no better success, has it seized upon the patriotic name of "Whig."

Resolved, That Democracy acknowledges, among her sons, no privileged classes, save those distinguished for virtue and intelligence, who have, always, the privilege, without regard to origin, of raising themselves, or of being raised according to their respective merits, to her highest gifts of trust and honor.

Resolved, That we protest against the recent Federal perversion of the name of "Whig," and "Tory."

As we cherish the memory of our patriot fathers with respect and veneration, who bore the name of Whig, we object to the illegitimate use of it, by the Federal party, in taking it to themselves, and thus desecrating it, and dooming it, to dishonor and shame. We also object to their calling us by the name of "Tory," chiefly because, as a name of merited infamy, they would wipe away its reproach, which they have, so long and so justly borne, and thus make it a name of honor, by their despicable stratagem.

Resolved, That we cordially recommend the Hon. JOHN FAIRFIELD to the citizens of Maine, as a candidate for the office of Governor, and that in presenting him again for their suffrages, we feel the nobleness of our voice in commanding an intelligent people, compared with his own official commendation to their support, by the signal ability, efficiency, patriotism and promptitude with which he has discharged his duties as Governor of Maine.

Resolved, That we cheerfully accord to our Federal opponents, the exclusive right, under their avowed policy of "availability," to adopt the noted sentiment of their late Chief, and distinguished Leader, as a maxim for their political conduct, to wit,

"If we cannot alter things, By —— we'll change their names Sir."

But so long as they remain the same unchanged party, we shall hold them to their old party name of "Federalist," which they bore of choice, as long as they had the honesty to avow their own principles.

Resolved, That time and space would fail us, to advert to the innumerable humbug expedients of our political opponents, to keep up the drooping spirits, and waning fortunes of their party.

They have severally had their day—and where are they? Being the worse for wear, and on the whole, they are consigned, or are rapidly on their way, to the receptacle of things lost, for party purpose.

Resolved, That as the stock of our opponents is now below par, in their panic movements, from the stoppage of their great panic engine, and grand regulator of the currency, made stronger under its new charter; there is a *call* in the political elements, from the exhausted state of their resources, and from their being in straits for available political capital.

Resolved, That the tremendous federal alarm about "an exclusive metallic currency," yes, exclusive, for so they will have it, so terribly to be deplored, does not frightened us out of our wits. Let it come at its worst, we are not afraid it will sink us. We do not even deprecate its approach to the greatest extent practicable, with any party horror. Our faith comforts us, in their terrible apprehensions, that we may possibly get enough for a substantial specie basis to our currency.

Resolved, That the late Federal "hue and cry" of ruin, ruin to their fondly cherished bloated "credit system," does not disturb us, because a substantial specie basis to our currency may depress it, and prevent another bank paper illustration of its excellence; its chief beauties being exemplified under a pure system of an extended and multiplied bank *enginery* with the speculating and stock jobbing gentry for bank *Engineers*.

Resolved, That last of all, (and most horridly!) about our Federal opponents) comes that "bill of abominations," the "Sub-Treasury scheme of Martin Van Buren." Verily, it is to be feared, it will subvert (most woful!) the bank system of alternate expansions, and contractions of the currency to an alarming degree! For it denies to the bank managers, the use of the Government revenues (consuming efforter!) that have been, (when deposited in their charge,) a great part of their necessary fuel to raise their bank steam power, to a full desirable height, even to bursting, when necessary for political effect.

Resolved, That to deprive the bank gentry, in any measure of their power to raise and depress prices by denying them the use of the public money for banking purposes, is such an outrage upon their enjoyed rights of making easy fortunes, that they cannot bear it, without being reduced to the more regular earnings of some steady business, to the great injury of their favorite pursuit.

Resolved, That the opposition cry of corruption, corruption, in the administration, that we have heard, loud and long, with a vociferating din of confident vaunting, that they would expose it, if they could once get the power, has come down to an ominous silence—since the report of their wise Committee's investigation.

Resolved, That in their recent elections, the people have met the vaunted issue of "Sub-Treasury or no Sub-Treasury," and have pronounced it worthy only of him, who, with a like firmness of purpose, and integrity of principle, to carry out the great Democratic measures of independence of all chartered monopolies, my in truth, to follow in the footsteps of his illustrious predecessor.

Resolved, That the establishment of the "Independent Treasury system," by law, and as we trust it is soon to take place, will be a memorable era of Democratic triumph over the combined forces of Federalism, under the avowed Websterian policy of political tactics, "the pre-emption of all positive goads," by any act of the Administration.

Resolved, That we are solemnly admonished by the late Harrisburg and New Jersey violence upon the elective franchise, of the desperate madness of our political opponents for power, and that the ballot box is no longer the bulwark of our strength, unless carefully guarded by Democratic SENTINELS, constantly on duty, and ALIVE with their watchword, "eternal vigilance is the price of liberty."

Resolved, That who could have thought it, even old Massachusetts, has sent us a message of her partial escape from Federal thralldom, profound and eloquent in the great principles, and truly Democratic spirit that animates her on her victory. And among the auspicious omens of her complete success, in her next great political conflict for supremacy is the flag of her political party, have boldly plead the cause of equal rights, and common privileges, guaranteed under the great magna charta, the Constitution.

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and accomplished chieftain, the chosen leader of the people, who in their recent mighty conflict for the supremacy of Democratic principles in the administration of their Government have successfully met and foiled, the whole opposition forces with every iron in their ranks, from old fashioned Federalism, down to modern Conservatism, in conjunction with their bank allies.

Resolved, That Democracy acknowledges, a B marshalled and led on new by their redundant Champion of "sword, pestilence and famine."

Resolved, That Governor Fairfield has expressed the united voice of the Democratic party, and we trust will be sustained by the whole people of the State, in the declaration, that, "though Maine has not yet taken military possession of the disputed territory, a continued disposition on the part of the British Government to delay a settlement of the boundary question, will not fail to induce such a step, whatever may be the consequences, should she not be relieved from that responsibility by the action of the General Government."

Resolved, That we protest against the recent adjourned Session in September. The Senate once voted for June, then backed out (nobody knows for what) and sent down a proposition in favor of the first mentioned time; the House non-concurred and fixed the time in June, by two majority; a reconsideration was moved and carried by three majority, and the House concurred. The next day while a member was making a motion to reconsider, he was gagged off by a motion put and carried for an adjournment. I should not wonder if some concerned in this unfair way of disposing of questions got their pay before the Legislature adjourns. I suppose many of your readers have seen an account of the Democratic Convention of Members of the Legislature, held on the 5th inst. John Fairfield was unanimously nominated for Governor. The Meeting was addressed by several Gentlemen, in an eloquent and spirited manner. The best of feeling prevailed, among all present; and on the whole, it was admitted by all, that it was one of the best Legislative Conventions, ever held in the State.

Mrs. Thomas Longley, of Green, has presented the Governor, with a noble Chess weighing almost 300 lbs.

It was cut the other day, and a slice presented to all who chose to take. I hope the Gov. will remember this good woman in a way that will reward her both for her labor and generosity. No doubt he will for he is reputed to be a generous man.

The Senate passed a Resolve giving a township of Land to Waterville College, on condition individual private subscriptions could be raised amounting to \$10,000. In the House, the Resolve was supported by Messrs. Allen of Bangor, Holmes of Winthrop, Chadbourn of Eastport, and Pessenden of Portland, and opposed by Messrs. Carey of Houlton, Perry of Oxford, Andrews of Turner, and Delesdernier of Baileyville. The Meeting was addressed by several Gentlemen, in an eloquent and spirited manner. The best of feeling prevailed, among all present; and on the whole, it was admitted by all, that it was one of the best Legislative Conventions, ever held in the State.

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of Parsonsfield, in the chair, and it was debated a large portion of three days. Mr. Hamlin the Speaker, Allen of Bangor, Cary of Houlton, and some others gave it an able and determined opposition, while it was supported with equal warmth and ardor by Messrs. Fes- senden, Getchell, Coburn and others. The question of its postponement to the next Legislature was carried by a majority of six votes. The Senate have since con-

ferred. This question caused more feeling and excitement than any other that has been before the Legislature this winter, and I believe it is settled and done with.

A vote has been taken fixing the time for an adjourned Session in September. The Senate once voted for June, then backed out (nobody knows for what) and sent down a proposition in favor of the first mentioned time; the House non-concurred and fixed the time in June, by two majority; a reconsideration was moved and carried by three majority, and the House concurred. The next day while a member was making a motion to reconsider, he was gagged off by a motion put and carried for an adjournment. I should not wonder if some concerned in this unfair way of disposing of questions got their pay before the Legislature adjourns. I suppose many of your readers have seen an account of the Democratic Convention of Members of the Legislature, held on the 5th inst. John Fairfield was unanimously nominated for Governor. The Meeting was addressed by several Gentlemen, in an eloquent and spirited manner. The best of feeling prevailed, among all present; and on the whole, it was admitted by all, that it was one of the best Legislative Conventions, ever held in the State.

The contest in both will be severe and animated beyond any former example; but we do not

believe that either state will quit Mr. Van Buren, and the impregnable principles of his adminis-

tration, for Gen. Harrison, and his absence of all principles and qualifications. But if such should be the result—if both States are placed in the Harrison column—it will be seen that Mr. Van Buren, yet has a majority of the electorat.

We feel the utmost confidence in the re-election of Mr. Van Buren. But let every democratic friend of such a result bear it perpetually in mind, that the contest will demand his utmost exertion and vigilance, and that continually.—Albany Argus.

Virginia 23 Kentucky 15 Michigan 3
N. Carolina 15 34
S.

this subject, and declared that the people of Maine would not submit to the present state of the case. It remained, he said, to be seen whether the general government would take steps to dislodge the invading troops, or that duty be left to the State of Maine."

These documents and the remarks of Mr. WILLIAMS, will be received in a day or two, and will be looked for with the highest interest.

A letter from Washington written March 9, says;

"It is said that the British Minister has dispatches by the Great Western, but of what character, no one knows." —Age.

THE WAGES OF LABOR.—The Independent Treasury Bill, if adopted, would, by checking the excessive importation of foreign goods, put all our manufacturing establishments in active operation. Labor of course would be in greater demand, and the wages be much better than they now are. It is ruinous importations from foreign work-shops, carried on by means of the bank deposit system, and the paper (instead of specie) payment of the duties at the custom house.

It is absence of all that should be placed in the re-election of Mr. Van Buren, and his administration, and his electoral votes.

The Democratic nomination by Gov. Bainbridge to take the Boundary, if speedily taken, on that necessary.

Government, heartily approves them, that the Boundary to urge it to a line of State—falsim adverse to the people, and enables them to go beyond the country, a final, resisted insult to the integrity. They were small potatoes, but I never realized the truth of the adage so sensibly as on this evening.

WHIG ARGUMENTS.—Some whigs attended a lecture, the other day which was delivered by Robert Rantoul Jr. of Mass., to the Democrats of Newport, (R. I.) and go so enraged at the truth they heard, as to assault the lecturer, with cries, yells, and potatoes. When the potato argument was used says the Bay State Democra, Mr. R. remarked:

"I have always heard that whig arguments were small potatoes, but I never realized the truth of the adage so sensibly as on this evening."

"PHOBUS WHAT A NAME!"—The Editor of the Boston Courier says—

"Our position," is easily defined. "It is that of an

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And while the Courier shall remain under its present conductor, it will endeavor to maintain that character. *In hoc signo spes mea.*

ANOTHER FACT.—The following General Order, promulgated by President Madison, in 1814, in the thick of the War, tells the whole story:

GENERAL ORDER.

"ANDREW JACKSON, of Tennessee, is appointed Major General in the Army of the United States, in the place of WILLIAM HENRY HARRISON, RESIGNED!"

From the Albany Argus.

MARK THE DIFFERENCE.—The Ohio Statesman publishes the names of eighty-eight postmasters who attended the federal or Harrison convention in that state, as delegates, to put down the administration.

How strongly does the clemency or liberality of the democratic administration contrast with the proscriptive course and universal sweep indulged in by the federalists in this State. Without an exception, every man in office within their reach, and nearly every clerk, has been swept out to gratify the hungry "spoil-hunters."

The opposition are always talking about the intelligence of the mercantile community; but how little respect they exhibit for that intelligence when they strive to *dupe* them, as did the Kennebec Journal recently, into believing that their "ships are rotting at the wharves," at the very time when vessels are in extraordinary demand!

The Mass. Legislature has before it a bill providing that after the 4th of July next, no person shall be imprisoned on any civil action, except exclusively for the recovery of any debt. The Mass. law now allows the debtor to be imprisoned, upon the oath of the Plaintiff that he believes his debt is justly due, and has a reasonable cause to believe that the debtor is about to abscond."

An Officer said to be Col. Wellesley (son of the Duke of Wellington,) passed through here yesterday on his way from Canada to Fredericton. He is said to be the bearer of Dispatches, of what purport we have not heard. This gentleman stated at the Hotel that the Mail Carrier had been fired at on the Temisquata Portage, and that the ball had passed through the back part of the neck. He succeeded however in carrying the mail in safety to his station. We have not heard whether the wound is considered to be dangerous. Various conjectures are afloat as to the motives that could influence such a wanton outrage.—Woodstock Times of Feb. 20.

FOREIGN NEWS.

FORTY THREE DAYS' LATER FROM ENGLAND.

The Great Western arrived at New York on Saturday, in 16 days from Bristol. She brings London papers to the 19th February; Liverpool to the same, and Havre to the 17th. We are indebted to the N. York Commercial, for a synopsis of the news. The W. brought about 80 passengers.

The latest previous advices were January 7th. Consequently the present dates are forty three days later than before received.

The Bank of England had reduced the rate of interest to 5 per cent.

The arrival brings us no intelligence of a change of ministers in England, which has been so confidently predicted; but the opposition have commenced the war most vigorously, and it may be questioned whether Lord Melbourne and his colleagues will be able to sustain themselves.

By late accounts from India, it seems that the Anglo-Indian government is still pushing on in its career of war and conquest. The Khan of Khetal had been attacked, his capital stormed and captured, and the Khan himself slain. The British loss was 31 killed and 108 wounded; that of the natives very severe, both in killed and wounded. One account says nine hundred.

Sir Frederick Maitland, commander in chief of the naval forces in the East Indies, died on board the Wellesley on the 30th of November.

Accounts of the recent hostilities in China had reached England. The Hampshire Telegraph states that a great naval armament is to be sent immediately from Portsmouth, to take on board 16,000 native troops in India; to lay the city of Canton under contribution, or destroy it if necessary, and then proceed Northward of Pekin, and compel the Emperor to submission.

The Duke of Wellington has had another severe and alarming attack of sudden illness.—Causes said to be the same as before—hard exertion by that State in defending her frontier against the aggressions of Sir John Harvey.

was a national debt, which would unquestionably be paid by the General Government. In this sentiment, the Globe says, there was a very general acquiescence.

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How strongly does the clemency or liberality of the democratic administration contrast with the proscriptive course and universal sweep indulged in by the federalists in this State. Without an exception, every man in office within their reach, and nearly every clerk, has been swept out to gratify the hungry "spoil-hunters."

The opposition are always talking about the intelligence of the mercantile community; but how little respect they exhibit for that intelligence when they strive to *dupe* them, as did the Kennebec Journal recently, into believing that their "ships are rotting at the wharves," at the very time when vessels are in extraordinary demand!

The Mass. Legislature has before it a bill providing that after the 4th of July next, no person shall be imprisoned on any civil action, except exclusively for the recovery of any debt. The Mass. law now allows the debtor to be imprisoned, upon the oath of the Plaintiff that he believes his debt is justly due, and has a reasonable cause to believe that the debtor is about to abscond."

An Officer said to be Col. Wellesley (son of the Duke of Wellington,) passed through here yesterday on his way from Canada to Fredericton. He is said to be the bearer of Dispatches, of what purport we have not heard. This gentleman stated at the Hotel that the Mail Carrier had been fired at on the Temisquata Portage, and that the ball had passed through the back part of the neck. He succeeded however in carrying the mail in safety to his station. We have not heard whether the wound is considered to be dangerous. Various conjectures are afloat as to the motives that could influence such a wanton outrage.—Woodstock Times of Feb. 20.

FROM CHINA.

The following, from the Boston Daily Advertiser, is an extract of a letter from Mr. John Cunningham, supercargo of the ship Mares, of Boston, dated Nov. 4, 1830.

"On arriving at the Bogue, the point of the river which is defended by fortis, and where we were obliged on our passage down (from Can-

ton to Macao) to show our pass, we saw two English men of war, engaging from twenty to thirty war junks. We were drifting down slowly with the tide, and had good opportunity of witnessing all that passed. The fight continued about an hour, when the junks retreated, and the men of war set sail for this place. On arriving opposite to the spot where the shot had appeared to fly the most thickly, we found three of the China vessels sunk, with their masts just peeping from the water, and numbers of miserable wretches clinging to the rigging. Several others appeared much disabled.

This morning we found that in consequence of the negotiation being broken off, the Yen Chui ordered the English either to enter Whampoa at once, or quit the Chinese waters, with the threat of burning their ships if they refused compliance.

On the receipt of this order, Capt. Elliot sent two vessels, the Hyacinth and Volage, to ascertain if the commissioner was in earnest. When these vessels arrived at the Bogue, they received a request from the commander of the forts not to approach nearer than two or three miles, which they complied with; lying to, and waiting for the answer to Capt. Elliot's message. Whilst in that situation, about thirty junks got under the forts, and stood down towards them.

A message from the ships was sent to the commander of the junks, desiring him not to approach any nearer, which request was disregarded. The action then commenced on the part of the English with round and grape shot, which did terrible execution. For some time the Chinese fought well, their admiral showing great courage and presence of mind, but they were finally obliged to retreat, as I have before mentioned. The English suffered no loss.

This evening the Chinese report has been received. One mandarin with christal button has been killed—the admiral dangerously wounded—three junks sunk, one blown up, and many more disabled. Over three hundred men have also been killed. The commissioner is reported to be very much frightened, and at a great loss what to do.

Thus all hope of an accommodation is broken off, and war virtually declared between the two nations. Whether the port of Canton will be closed to vessels of all nations, is a question to be decided. I should not be at all surprised if the Chinese themselves should sink junks at the Bogue, and thus prevent both ingress and egress."

A QUEEN'S CHARACTER.—Among the doings at the Court of Common Pleas for Rockingham County, N. H., the Exeter News Letter states that Alfred Tetherly, of Charleston, N. H., was indicted for stealing a horse, the property of Joshua Woodman, of Nottingham. On being asked if "guilty or not guilty," he said, they might set him down as guilty, for he went into the barn to hide for the night, and finding no hay there to lie on or the horse to eat, he took the beast out of pity, rode him up country, where there was hay enough, and sold him to a man who would feed him well, and not let him starve. He thought about riding the horse back to the owner, but the jade travelled so hard that he would rather go to the State Prison for a dozen years than ride him again a dozen miles. The court sentenced him to three years hard labor in the State Prison.

MARRIAGE OF THE QUEEN.—The marriage of Queen Victoria and Prince Albert was solemnized on the 10th of February, at the Chapel Royal, St. James'. The day was inauspicious, a heavy rain falling, but immense multitudes assembled to gaze upon the procession.

LOSS OF AN AMERICAN SHIP BY FIRE.—We are indebted to Mr. Jameson, Register of the Chamber of Commerce, for the following intelligence. Extract from a letter dated Cork, Feb. 8, 1840:—"The American ship Havre capt. Vennard, from New Orleans to Liverpool, with 1,564 bales of cotton, took fire about 7 miles off this harbor yesterday evening. The master, his wife and child, and the owner, together with two mates and fourteen seamen, were saved with great difficulty by Patrick Kirby, pilot. This man deserves much credit for his exertions, and I am sorry to say that his boat was considerably injured by coming in contact with the wreck. A quantity of gunpowder having been stowed in the afterpart of the ship, she blew up with a tremendous explosion, about ten minutes after the pilot had left her."—Dublin Packet.

WRECK OF THE BARQUE ST. LAURENCE.—A beautiful barque, the St. Lawrence, D. Chambers, master, laden with timber, from Dalhousie, New Brunswick, was driven into Ballyheigue Bay, Kerry, on Tuesday morning. Vessel total loss, crew saved.

Letters from Brest of the 8th, contain a long enumeration of the disasters which occurred on the adjoining coast during the frightful night of the 3d Feb. No less than 17 vessels were wrecked on the shore south of Camaret, and amongst others, the Liffey, capt. Stowe, from Dublin for Barbadoes, which was dashed to pieces on the rocks of Lundunvez. Four of the crew were saved by a fisherman named Yves Pere. The other three were unfortunately drowned.

TURKEY & EGYPT.—Constantinople, Jan. 27. The great news of the day is the treaty of quadruple alliance between Russia, England, Austria, and Prussia, who have come to an understanding to guarantee the integrity of the Ottoman empire.

The Hora has received official advice of the conclusion of this alliance. The news brought to M. de Bouteville by the steamer from Odessa must have been of great importance, inasmuch as the garrison of the last named city was called out by the Governor to break the ice to enable the steamer to leave the port.—Semaphore.

CANADA.—Lord J. Russell, on the 11th Feb. in reply to Mr. Packington, said he expected a draft of a bill for the union of the two Canadas, from the Governor General of Canada, in the course of this month, as it was to leave N. York on the 1st of Feb. As soon as the government had considered the bill, he would submit it to the house. The noble lord further stated that he had given orders that returns in reference to the number of religious denominations in Canada, should be laid on the table. The noble lord added, that he was not aware that Sir George Arthur had signed his office of Governor of Upper Canada.

ADJOURNMENT OF CONGRESS.—A writer in Washington says, that the opinion is generally entertained there, that Congress will adjourn early next June.

FROM CHINA.—It is said that the Whigs of Connecticut, in several instances, a dollar a head for men to attend their State Convention the other day.

ON ARRIVING AT THE BOGUE.—The Boston and N. W. York line of locomotives and steamboats, by way of Norwich and Worcester, opened yesterday. Fare from Boston to N. York, \$5.

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[Concluded.]

ted with the old man often, and I know it as well as I do my own. Bill Brown, and you, John Gillan," addressing himself to the one who first recognized the horn, "I accuse Caleb Rumley of old Silversight's murder—help me to secure him!"

The deputy sheriff stood motionless for a moment, and turned pale as death, (from surprise perhaps,) then suddenly recovering his senses, he darted across the room, and seized his gun, before any one was aware of his intention, leveled and fired at his accuser. The apartment became instantly filled with smoke, which, as it slowly rolled away, discovered to the astonished beholders, the stiff and bleeding form of Caleb Rumley, stretched at full length upon the floor. As soon as he discharged the piece, the infuriated man had sprung towards the door designing to make his immediate escape; but the motion was anticipated by our friend Jemmy Buckhorn, (for it was he who charged his fallen antagonist with murder, and who, luckily, was not touched by the ball which was meant to destroy him,) and with one blow of his powerful arm, he felled the scoundrel to the earth. He now rapidly explained to the wondering trio, the nature of the proof he had obtained of Rumley's guilt, and succeeded in satisfying them that he ought to be made a prisoner, and immediately conveyed to Edgerton.

CHAPTER VI.

The morning which our hero believed was to be the last of his earthly existence, arose with unvoiced brightness; and throngs of males and females came pouring into the little village, impelled by the mysterious principle of our natures which incites us to look on that which we nevertheless must shudder to behold. But no sounds of obstreperous merriment, no untimely jokes were uttered, as they passed along the road, to grapple upon the ears of the unfortunate Charles, and break him off from his communication with heaven; on the contrary, many a tear was shed that morning, by the bright eyes of rustic maidens, who were "all unused to the melting mood;" and many a manly breast heaved a sigh of sympathy for the culprit, who was that day to make expiation to the offended laws. Indeed, since the sentence of the court was pass'd, a wonderful change had been wrought among the ever changing multitude, by various rumors that were whispered from one part of the wide prairies to another, and spread with almost incredible velocity. A thousand acts of unasked benevolence were now remembered, in favor of him who was soon to suffer. Here was an aged and afflicted woman whom he had not only visited without hope of reward, but upon whom he had conferred pecuniary as well as medical comforts. There was an industrious cripple who had received a receipt in full from the physician, when creditors to a less amount were levying on his farm. And many similar acts of bounty were proclaimed abroad, by the grateful hearts on which they had been conferred, all helping to produce the change of sentiment which was manifestly wrought. Still the general impression seemed to be unshaken, (so strong had been the proofs) that, in an evil hour, he had yielded to temptation, and imbrued his hand in a fellow creature's blood.

The last hour arrived when Charles Rivington was to suffer the sentence of the law. A rude gallows was erected at about a quarter of a mile from the public square, and thicker the sad procession moved. He was decently dressed in a black suit, and walked to the fatal place with a firm step. He was very pale; but from no other outward sign might the spectators guess that he shrank from the horrors of such a death—his eye had a calm expression, and the muscles of his face were as motionless as an infant's simber. They reached the spot. A prayer, a solemn prayer was offered up to heaven for the murderer's soul, in which every hearer joined with unaccustomed fervor. The sheriff attendant stood in waiting with the fatal cord, while the agonized mother, vainly endeavoring to emulate the firmness of her heroic boy, approached with trembling steps to take a last farewell—when hark! a shout was heard—all eyes were turned to catch its meaning—another shout, and the words "stop the execution" were distinctly heard. In a moment after, the death-pale form of Jimmy Buckhorn tumbled from his horse, with just sufficient strength remaining, to reach toward the Sheriff an order from the Judge to stay the execution.

Reader our tale is nearly at an end. Jimmy Buckhorn had been faithful to his word. He had sought for some clue on the murderer, with an earnestness which nothing but a firm conviction of our hero's innocence, superadded to his love for Judy, could possibly have enkindled. For sometime he was unsuccessful. At length the thought struck him that the track on the side of the stream where Mr. Wentworth resided, might have been caused by a traveller passing along, on the morning after the fatal deed, and the deputy sheriff in that case might be the real culprit. He immediately set out to visit every cabin above Mr. Wentworth's to see if the story that he had been farther up the stream was correct. This took considerable time but the result satisfied him that the tale was false. He then procured the assistance of a surgeon, imposing upon him secrecy, until the proper time for disclosure, and proceeded to disinter the body of Silversight. This was more successful than he dared to hope; the ball had lodged in the cavity of the head, and being procured, Buckhorn pronounced at once, that it could have been discharged only from Rumley's smooth bore. He set out directly for Edgerton choosing to go by the way of the New Settlement, for two fold reason. He had heard that Rumley was in that neighborhood, and to get possession of him or his gun at any rate, he deemed very essential. Besides that route would take him by the house of the Judge, and

from him it would be necessary to procure an order to delay the proceedings. But the chain of evidence was not yet complete.

A wild and dissipated young man, by the name of Michael Davis, who had just returned up the river from New Orleans, entered the office of the clerk of the county, on his way back to the tavern, from the place where the execution was to have taken place, in order to while away an hour until the time for dinner should arrive. The powder-flask, which had been brought in against our hero, was lying on the table, the graven side downward. There is a restless kind of persons in the world, who can never be easy, let them be sitting where they will, without fidgeting and examining whatever is within their reach—and such a one was Michael Davis; he accordingly took up the flask in a careless manner, and turning it over in his hand his eyes fell upon the letters.

"Why hallo, what the devil are you doing with my powder-flask?" asked he.

"I wish the unlucky article had been yours, or any body's except the unfortunate Dr. Rivington's returned the clerk, who was a friend of our hero, and deeply deplored the circumstances that had lately transpired.

"Unfortunate devils!" reiterated Michael;

"I tell you it's my flask, or article as you prefer calling it; or rather was mine and Caleb Rumley's together. We bout it when he and I went down to Orleans—it's see, that's three years come Spring. I ought to know the cursed thing, for I broke a brand new knife scratching their letters on it."

The clerk started from his seat—he snatched the flask out of the hands of Davis—he gazed at it a moment intently—then, the truth suddenly flashed across his mind, he rushed out into the road, forgetting his hat—forgetting every thing but the letters on the flask. The magistrate, who grieved as much as any one, at the supposed dereliction of their young friend, the physician, was amazed to see the clerk enter the apartment in such a plight.

"There!" cried he, as he threw down the flask on the table, "C. R. M. D. spells something beside Rivington. Send your servant out of the room."

As soon as he was gone, and the door carefully closed, the clerk continued in a low confidential tone, "that flask is Caleb Rumley's, and Caleb Rumley is the murderer; (no wonder he has kept himself away all this while!) It belonged to him and that of Satan Mich Davis, together; and Mich Davis told me so with his own mouth not three minutes ago—and Charles Rivington's an honest man—huzza! huzza! huzza!!!" concluded he, and he danced and skip about the apartment, with the delirious joy true friendship inspired. The magistrate was a man of middle age, and very large and corpulent; but a moment of flesh could not keep him down when such thrilling news tingled in his ears and he too began to dance a jig, that shook the tenant to its foundation.

It became the duty of the worthy magistrate to commit, in the course of that very day, our respected friend Caleb Rumley, Esq., deputy sheriff of the county of— to the same capacious tenement that Dr. Rivington had lately inhabited; he with the consent of the Judge, being more safely disposed of in the prison of— his own house. A bill was immediately sound by the grand jury, and the trial of the real murderer came on shortly after. For a long time he obstinately denied any knowledge of the death of Silversight; but as proofs after proofs was disclosed against him, he first became doggedly silent, and at last made a full disclosure of his crime. He was found guilty, and executed on the same gallows that had been erected for our culminated hero.

The sickness of Catharine Wentworth was long and severe; but our friend Charles was her physician, and the reader will not wonder that it yielded at last to his skill. The Christian parent of our hero, had been condemned at different periods of her life, to drink deeply of the cup of affliction, and she bowed with a noble humiliation to the decree of heaven; it was thence she now derived support in this hour of joy. Spring had gone forth, warbling with her thousand voices of delight over those wide extended prairies, and the flowers had sprung into a beautiful existence at her call, when the hand of the blushing Catharine, herself a lover flower was bestowed in marriage on the transported Charles Rivington. Never did there stand before the holy altar a happier and more affectionate pair. Their hearts had been tried; they had been weighed in the balance and found not wanting. The house of Mr. Wentworth was the scene of their union; and on the same evening and by the same hand which bound her "dear Charles" to his blooming bride our little Irish friend Judy was united to the worthy Buckhorn, who had been prevailed upon reluctantly to lay aside his hunting shirt and leggings on that joyful occasion. The evening glided rapidly away, wended along by tales of mirth, and it was over with that though Charles and Catharine took but little share in the rattling conversation of the hour, they appeared to enjoy the scene with happiness that admitted of no increase. Indeed, often did the tender blue eyes of the beautiful bride become suffused with the crystal drops of joy, as she raised them up in thankfulness to her heavenly Father who had conducted them safely through all the perils of the past and at last brought them together under the shelter of his love.

"The whole trouble came of your being so kind Doctor Rivington," said the manly, though in his new suit, rather awkward looking Buckhorn. "It was all your kindness in offering to bring out my plucky ride. If it hadn't been for that, suspicion wouldn't have alighted on you at all."

"Now hold your tongue, dear Jemmy," said his inquisitive little wife; "I thought so myself; till Mr. Charles explained it to me, and then I found out how 'twas the wisdom of the Almighty put it into his head to carry out your gun for how would you ever got on the true scent, if the big bullet hadn't told you for certain that it was never the small bore rifle what kill him. No blessed be His name, that made, as He always will, goodness its own reward, and put into the heart of my dear, kind master, to carry out a great clumsy gun to an old ranger like you, Buckhorn. And under Heaven, the cause of all our present happiness, tak' my word for it is The Rifle."

ON THE SMALL POX.

To the Citizens of Boston & State of Massachusetts.

SMALL POX is a complaint more prevalent on childhood than at any other time of life; and the species however, is subject to it at any period of existence. The course of this disease is easily traced in the person of the worst kind of it, having been caused by the circulation of the blood either from contagion or otherwise. It is this humor which produces shivering, fever, heaviness, weakness, and pains all over the body, because the circulation is impeded, and its natural course disorder'd by the bad humor. This is the first period.

The blood, in this case, as well as in all other appearance of disease, fights against these impurities, and carries them to the capillary vessels in order to cause an eruption, and thus to throw out these humors. This is the second period.

The skin is covered with small pimplies in more or less number according to the previous limbs or subordi- nates, the third period. After these pimplies come out, the fever subsides, and in about ten or twelve days off and is out.

The Small Pox is deadly, and according to the size of the contagion or the bad nature of the humor, so large an amount of discharge may be caused as ordinary discharge, and this may be increased by the use of the smallpox vaccine.

Brother Jonathan being a genuine yankee, and thinking that some large can be done as well as others, is determined to present to his readers a MEDLEY Alberto unrivaled by any other paper.

Advertisers, Facetiae, Quilities, Qualities, Religion,

Antecedents, Geography, Sports, Stories,

Accidents, Learning, Services, Stories,

Biography, Mankind, Marvels, Sufferings,

Books, Conversations, Marvels, Tales,

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Eloquence, Philosophy, Wit and Wonders,

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As a Family newspaper, BROTHER JONATHAN will be found to present attractions beyond any other.

—He comes, the herald of a noisy world,

News from all nations lumbering at his back.

The earliest intelligence, foreign and domestic, and the latest novelties in the Literary World, will be promptly served for the gratification of the reader.

—Street neutral in political, it will contain nothing in favor of any party, and will be equally avoid any of the controversial, which agitate the religious community.

—Moral, virtue, temperance, industry, good order, benevolence, and usefulness to our common country and our fellow men, will be advocated and included in every page of the paper.

—The principle of purgation were but well understood on one would be afraid of the Small Pox any more than of a common cold. There would be no inoculation or vaccination either—people would be too wise then, they would know that all the disorders would be removed EFFECTUALLY and without danger by simply evacuating the bowels thus purifying the body until the disease was cured. Three or four days of this process, how many weeks, months, may, perhaps, suffice, to effect a full recovery. And as the first attack of pain, or any sign of accident from cold or otherwise, the purgation must be repeated in the interval of the dying of the pimplies.

By thus evacuating the corrosive humor of the humors which are contained in the skin and cause such excessive itching, the pimplies will leave no marks upon the skin, and the patient cured by this practice will not be exposed to the different inconveniences which are so often the consequences of this disease.

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